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**FISCAL IMPACT STATEMENT**

**LS 6636**

**BILL NUMBER:** HB 1287

**NOTE PREPARED:** Mar 16, 2007

**BILL AMENDED:** Mar 15, 2007

**SUBJECT:** Jury Selection.

**FIRST AUTHOR:** Rep. Richardson

**FIRST SPONSOR:** Sen. Bray

**BILL STATUS:** 2nd Reading - 2nd House

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** This bill has the following provisions:

- A. It consolidates provisions concerning jury selection into one chapter of the Indiana Code that conforms to jury selection rules adopted by the Indiana Supreme Court. It repeals provisions outside this chapter concerning jury selection. It moves and consolidates provisions relating to the loss and restoration of the right to possess a firearm by a person convicted of a crime of domestic violence.
- B. It provides that if a county, city, or town fiscal body adopts an ordinance for the payment of juror parking fees, the county, city, or town may pay the parking fees incurred by a juror instead of paying for mileage. It allows a county to use unencumbered money in a jury pay fund to maintain and improve the jury system in the county.
- C. It specifies that city court jurors are to be selected in the same manner as other jurors. It makes other conforming amendments.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Consolidation of Chapters in Statute* – This bill combines jury selection procedures and administration from three chapters of the Indiana Code and revises these sections so they are consistent with Supreme Court rules. Since trial courts are currently following the rules of the Indiana Supreme Court concerning jury selection and management, there should be no fiscal impact from the changes made in this bill.

*Payment of Juror Parking Fees* – Counties and cities and towns with city or town courts would be permitted to adopt an ordinance to pay for the parking costs of the vehicles of jurors and members of grand juries instead of the mileage incurred by the juror or member of the grand jury. Jurors or members of grand juries are more likely to pay to park within a near distance of the court in urbanized counties. Consequently, local units of government located in urban areas are more likely to adopt this type of ordinance. Any change in expenditures from the jury pay fund will depend on the tradeoff between mileage that a juror or a member of the grand jury travels and the parking fees the county, city or town will pay.

*Unencumbered Money in the Jury Pay Fund* – Under current law, the money in the Jury Pay Fund is restricted to supplementing the costs of paying jury fees. This provision will permit the court to use any money left over at the end of each month to maintain and improve the court's jury system.

Background Information: The jury pay fund receives revenue from two sources: a \$2 jury fee in each action in which a defendant is found to have committed a crime, violated a statute defining an infraction, or violated an ordinance of a municipal corporation; and a \$2 fee when infractions or ordinance violations are deferred.

The jury pay fund is used to supplement the cost of paying jury fees.

The following table compares the jury fee revenues with the per diem costs for grand jurors and petit jurors for the past six calendar years.

Jury Fee Revenue and Per Diem Costs for Grand Jurors and Petit Jurors						
	2000	2001	2002	2003	2004	2005
Jury Fee Revenue	\$1,228,885	\$1,195,297	\$1,316,202	\$1,230,779	\$1,217,919	\$1,261,655
Per Diem Costs	\$3,409,630	\$3,023,503	\$2,867,623	\$2,786,866	\$2,755,303	\$1,912,742

(Revised) *Jury Trials in City and Town Courts* – Under current law, the clerk of a city or town court selects persons to serve on a jury from the registered voters who are residents of the city or town. As proposed, the clerk would be able to select potential jurors from a master list approved by the Supreme Court or a combination of other sources. The master list includes county residents identified in data received from the Bureau of Motor Vehicles and the Department of Revenue. If the person selecting the jury pool uses a list of registered voters, the person must also supplement this source with BMV records, property tax payers, utility customers, or persons listed in telephone directories. The number of jury trials in city and town courts is expected to be minimal.

### **Explanation of Local Revenues:**

#### **State Agencies Affected:**

**Local Agencies Affected:** Trial courts; city and town courts.

**Information Sources:** Michelle Goodman, Indiana Judicial Center.

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